

REMARKS

Claims 1, 7, 9, 14 and 16 have been amended, and claims 1-19 appear in this application for the Examiner's review and consideration.

Claims 1, 2 and 4-19 were rejected as being anticipated by Martin et al., U.S. patent 6,446,362.

Martin discloses a multiple position boot strap mount or slider mechanism 180 for use in connecting straps to an upper portion of a boot. Fig. 1 shows that a first strap proximal end 151A can be positioned in multiple positions by using the slider mechanism 180 that is attached to a heel portion 130 of the boot (see col. 3, lines 60-63 of Martin). A cross sectional view of the slider mechanism 180 is shown in Fig. 3, with fragmentary portions of the boot upper 120 and the strap 151 shown in phantom. A slider plate 181 has a thin annular retention panel 182, and includes an elongate portion 184 that forms an elongate channel (see also Fig. 4). An elongate slot 186 extends through the medial portion 184 of the slider plate 181. An aperture 121 provided in the boot upper is sized to accommodate the medial portion 184 of the slider plate such that the elongate slot 186 is accessible from outside the boot (col. 3, line 63 to col. 4, line 16). A washer plate 190 and a nut plate 200 are disposed within the channel formed by the medial portion 184, and the washer plate also has an elongate slot therethrough that matches the elongate slot 186 of the slider plate. The nut plate 200 includes a tubular threaded portion 202 that accommodates a threaded post 212 of a screw 210 that is used to attach a proximal end of a strap 151 to the slider mechanism 180 in the heel portion 130 of the boot. When the screw 210 is tightened, the nut plate 200 and screw 210 produce a clamping force that locks the nut plate in a desired position within the elongate slot 186 (col. 4, lines 17-40). Martin teaches that this construction, wherein the retention plate 182 is disposed underneath the outer layer of the boot upper 120, is advantageous because the medial portion 184 does not project out significantly from the surface of the upper 120 resulting in the first strap proximal end 151A being directly adjacent the upper 120. The slider plate is thus less exposed to environmental factors that might otherwise damage or interfere with the operation of the slider mechanism 180 (emphasis added, col. 5, lines 6-15).

Claims 1, 7, 9, 14 and 16 have been amended to make it clear that there are "at least three separate mounting locations" on a raised portion of the strap anchor. Support for these changes can be found, for example, on page 3, lines 24-30, and in Figs. 1 and 2 of the application. No new matter was added. In contrast, the boot strap mount structure described and claimed by Martin requires a single, elongate slot 186 (see Figs. 1-4 and independent

claims 1, 10, 13 and 14 of Martin). Since this feature is absent in the present strap anchor, independent claims 1, 7 and 14 are not anticipated.

In addition, Martin teaches that the medial portion 184 of the slider plate 181 of the slider mechanism is substantially even with the surface of the boot upper so that the first strap proximal end 151A does not significantly project outward from the surface of the upper 120 (see Figs. 1 and 3, and col. 5, lines 6-10). Conversely, the present snowboard boot strap anchor includes a raised portion that creates space between the strap components and the surface of the boot upper so that the straps can slide freely relative to each other. This is advantageous because it permits an instep pad to easily slide beneath a medial strap as a ratchet mechanism is used to tighten the straps. The novel configuration therefore helps to minimize friction between the straps and the sports boot upper that could create unwanted and uncomfortable pressure points (see application, page 6, lines 20-25). Thus, the applicants respectfully assert that Martin teaches away from the present application, and consequently that independent claims 1, 7 and 14 are patentably distinct thereover. Since claims 2, 4-6, 8-13 and 15-19 all directly or indirectly depend upon claims 1, 7 or 14, these claims should be allowable for at least the same reasons.

In view of the above amendments and remarks, the applicants respectfully request withdrawal of all of the 35 U.S.C. 102(b) rejections of the claims.

Claim 3 was rejected as being unpatentable over Martin. For the reasons explained above, independent claim 1 is patentably distinct from Martin. Since claim 3 depends on claim 1, it should be allowable for at least the same reasons. Thus, the applicants respectfully request withdrawal of the 35 U.S.C. 103(b) rejection of claim 3.

In view of the above, the entire application is believed to be in condition for allowance, early notice of which would be appreciated. Should any issues remain, a personal or telephonic interview is respectfully requested to discuss the same in order to expedite the allowance of all the claims in this application.

Respectfully submitted,

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